



Express Mail No.: EV 313 841 886 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Dasseux *et al.*

Confirmation No.: 6407

Serial No.: 09/865,989

Group Art Unit: 1654

Filed: May 25, 2001

Examiner: Russel

For: APOLIPOPROTEIN A-I AGONISTS
AND THEIR USE TO TREAT
DYSLIPIDEMIC DISORDERS

Attorney Docket No.: 9196-019-999

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' attorney requests correction of the Filing Receipt for the referenced application as follows:

Please correct the Assignment For Published Patent Application from [Esperion Therapeutics, Inc.] to --, **Jean Louis Dasseux, Renate Sekul, Klaus Büttner, Isabelle Cornut, Gunther Metz and Jean DuFourcq** --.

The following documents are enclosed:

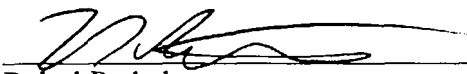
1. A copy of the marked up Filing Receipt;
2. A copy of the Assignment and Notice of Recordation from prior U.S. Application No. 08/940,093.

The subject application and its parent applications have been assigned and are owned by, Jean Louis Dasseux, Renate Sekul, Klaus Büttner, Isabelle Cornut, Gunther Metz and Jean DuFourcq. The assignment for the parent application was recorded on September 6, 2001 at reel/frame 012153/0214. Applicants hereby respectfully request correction of the Corrected Filing Receipt.

No fees are believed due in connection with this request. However, the Commissioner is authorized to charge all required fees, fees under 37 C.F.R. § 1.17 and all required extension of time fees throughout the pendency of this application, or credit any overpayment, to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date: October 3, 2003


Rahul Pathak 42,983
(Reg. No.)
For Laura A. Coruzzi (Reg. No. 30,742)
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/865,989 ✓	05/25/2001 ✓	1654 ✓	643	9196-019-999 ✓	11	1	1

24341
 Pennie & Edmonds, LLP
 3300 Hillview Avenue
 Palo Alto, CA 94304

RECEIVED RECORDS

OCT 02 2003
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 & DOCKETING CA OFFICE

CONFIRMATION NO. 6407 ✓

CORRECTED FILING RECEIPT



OC000000010939698

Date Mailed: 09/29/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jean-Louis Dasseux, Mannheim, GERMANY; ✓
 Renate Sekul, Ladenburg, GERMANY; ✓
 Klaus Buttner, Epfenbach, GERMANY; ✓
 Isabelle Cornut, Edingen-Neckarhausen, GERMANY; ✓
 Gunther Metz, Edingen-Neckarhausen, GERMANY; ✓

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OCT 08 2003

TECH CENTER 1600/2900

Assignment For Published Patent Application

Esperion Therapeutics, Inc.

Jean-Louis Dasseux
 Renate Sekul
 Klaus Buttner
 Isabelle Cornut
 Gunther Metz

Jean DuFourcq

Domestic Priority data as claimed by applicant

This application is a CON of 09/465,719 12/17/1999 PAT 6,265,377 ✓
 which is a CON of 08/940,093 09/29/1997 PAT 6,037,323

Foreign Applications

If Required, Foreign Filing License Granted: 01/15/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ******Title**

Apolipoprotein A-I agonists and their use to treat dyslipidemic disorders ✓

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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UNITED STATES
PATENT AND
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NOVEMBER 15, 2001

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Chief Financial Officer and Chief Administrative Officer
Washington, DC 20231
www.uspto.gov

PENNIE & EDMONDS LLP
RAHUL PATHAK
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036



101843224A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

919b-006

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/06/2001

REEL/FRAME: 012153/0214

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DASSEUX, JEAN-LOUIS /

DOC DATE: 08/03/2001

ASSIGNOR:

SEKUL, RENATE /

DOC DATE: 08/19/2001

ASSIGNOR:

BUTTNER, KLAUS /

DOC DATE: 09/05/2001

ASSIGNOR:

CORNUT, ISABELLE /

DOC DATE: 09/05/2001

ASSIGNOR:

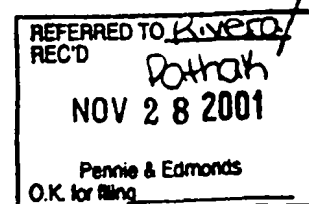
METZ, GUNTHER /

DOC DATE: 08/10/2001

ASSIGNEE:

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RRP-289A



012153/0214 PAGE 2

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ASSIGNEE:

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PESSAC, FRANCE F-33600

SERIAL NUMBER: 08940093

PATENT NUMBER: 6037323

FILING DATE: 09/29/1997

ISSUE DATE: 03/14/2000

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

JOINT

ASSIGNMENT

WHEREAS, WE, Jean-Louis Dasseux, a citizen of France, residing at 7898 Huron Oak Drive, Brighton, MI 48116; Renate Sekul, a citizen of Germany, residing at Wichernstr. 13, Ladenburg, Germany D-68526; Klaus Büttner, a citizen of Germany, residing at Eichendorffstr. 6, Epfenbach, Germany D-74925; Isabelle Cornut, a citizen of France, residing at 516 route du Foron, Cry, Reignier France F-74 930; and Günther Metz, a citizen of Germany, residing at Hagellachstr. 41 Heidelberg, Germany 69124, ASSIGNORS, are inventors of the following invention for which we have executed an application for a Patent of the United States:

U.S. Patent No. 6,037,323 entitled **APOLIPOPROTEIN A-1 AGONISTS AND THEIR USE TO TREAT DYSLIPIDEMIC DISORDERS** filed on September 29, 1997 (Pennie & Edmonds LLP Docket No. 9196-0006-999); and

WHEREAS, Jean-Louis Dasseux, a citizen of France, residing at 7898 Huron Oak Drive, Brighton, MI 48116; Renate Sekul, a citizen of Germany, residing at Wichernstr. 13, Ladenburg, Germany D-68526; Klaus Büttner, a citizen of Germany, residing at Eichendorffstr. 6, Epfenbach, Germany D-74925; Isabelle Cornut, a citizen of France, residing at 516 route du Foron, Cry, Reignier France F-74 930; Günther Metz, a citizen of Germany, residing at Hagellachstr. 41 Heidelberg, Germany 69124; and Jean DuFourcq, a citizen of France, residing at 7, rue Jacques Prévert, Pessac, France F-33600, ASSIGNEES, are desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEES, their successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEES, their successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that any prior assignment of U.S. Patent No. 6,037,323 by and between the parties hereto is amended and suspended, in its entirety, by this Assignment.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEES, their successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEES, their successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date August 3rd, 2001 Jean-Louis Dasseux L.S.
State of Michigan
County of Washtenaw SS.:
Jean-Louis Dasseux

On August 3rd, 2001, before me, Jill R. [Signature], Notary Public, personally appeared Jean-Louis Dasseux, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Date 19.08.01 R. Sekul L.S.
Renate Sekul

T. Surkowski
First Witness

Print Name: THOMAS SURKOWSKI

U. Vogt
Second Witness

Print Name: U. Vogt

Date _____ Klaus Büttner L.S.

First Witness

Print Name: _____

Second Witness

Print Name: _____

Date _____ Isabelle Cornut L.S.

First Witness

Print Name: _____

Second Witness

Print Name: _____

Date _____ Günther Metz L.S.

First Witness

Print Name: _____

Second Witness

Print Name: _____

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10003

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEES, their successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEES, their successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date _____

L.S.

Jean-Louis Dasseux

First Witness

Print Name:

Second Witness

Print Name:

Date _____

L.S.

Renate Sekul

First Witness

Print Name:

Second Witness

Print Name:

Date 05.09.2001

L.S.

Klaus Büttner

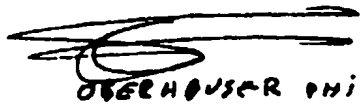
First Witness

Print Name:

Handwritten signature
Handwritten signature
MICHELE LICHTENBERGER

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OVERHUSER PHILIPPE

Second Witness

Print Name:

Date _____

L.S.

Isabelle Cornut

First Witness

Print Name:

Second Witness

Print Name:

Date _____

L.S.

Günther Metz

First Witness

Print Name:

Second Witness

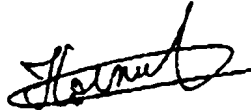
Print Name:

Second Witness

Print Name:

Date 05 Sept 01

L.S.


Isabelle Cornut


First Witness

Print Name: Andrew Bauer-More


Second Witness

Print Name:

Date _____

L.S.

Günther Metz

First Witness

Print Name:

Second Witness

Print Name:

Date _____ L.S.

Renate Sekul

First Witness

Print Name: _____

Second Witness

Print Name: _____

Date _____ L.S.

Klaus Büttner

First Witness

Print Name: _____

Second Witness

Print Name: _____

Date _____ L.S.

Isabelle Cornut

First Witness

Print Name: _____

Second Witness

Print Name: _____

Date 10. May 2001 _____ L.S.

f.k. Ret
Günther Metz

First Witness

Print Name: RALF BESEN BRUCH

Second Witness

Print Name: RENATE SEKUL